



Washington State Department of Agriculture ➔ Endangered Species Program Newsletter

WSDA begins state-initiated plan development

The Washington State Department of Agriculture (WSDA) announced that it intends to develop a state-initiated plan to protect threatened and endangered salmonids and submit it for federal approval by the end of this year. Over 50 stakeholders gathered Aug. 4 in Olympia to hear WSDA and the U.S. Environmental Protection Agency (EPA) discuss the Washington plan and the federal approval process.

“The Washington state-initiated plan will address a tough issue – protecting salmon while maintaining a viable Washington agriculture,” stated WSDA Deputy Director Bill Brookreson in his opening comments. “We now have the opportunity to create real ways to solve real problems – together.”

For the Washington plan to be successful, WSDA must convince EPA that the plan can be implemented and NOAA Fisheries (formerly National Marine Fisheries Service) and/or U.S. Fish and Wildlife Service must approve the plan.

The Washington state-initiated plan components include:

- 1) Providing state-specific data to EPA for pesticides on which they will make effects determinations
- 2) Providing state-specific data to NOAA Fisheries to assist in the formulation of “biological opinions” that explain how the EPA determinations affect salmonids and lays out what actions EPA should take to protect salmonids
- 3) Developing county bulletins, a form of supplemental labeling, for pesticides that are required by NOAA Fisheries’ biological opinions to need additional use limitations to protect salmonids



Bridget Moran explains WSDA’s proposed role in the pesticide/ESA consultation process.

Arty Williams, Chief of the EPA Environmental Field Branch, told stakeholders that state-specific data provided under the proposed plan would positively benefit Washington agriculture. “You must remember that EPA works on threatened and endangered species at a national level. WSDA data can help refine EPA exposure assessments by providing very specific, local information,” said Williams.

To understand how WSDA and EPA will interface in the state-initiated plan, see the flowchart on page 2 of the April 11 issue of [Pesticide/ESA News](#).

The state-specific data being compiled by WSDA includes:

- Pesticide use summaries – specific pesticide information, major usage estimates by commodity and the pest, method, timing and location for each application.

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QUESTIONS?

For more information about the Endangered Species Program, visit our Web site at <http://www.agr.wa.gov/PestFert/EnvResources/EndangSpecies.htm>

WSDA welcomes your input. Please send your comments and questions to the Endangered Species Program esp@agr.wa.gov

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- Crop summaries – description of where specific crops are grown, typical pesticides used and timing of applications.
- Crop maps – agricultural land use in Washington state, accurate to the quarter section.
- Surface water monitoring database – database to manage surface water monitoring data from the WSDA surface monitoring program, Washington State Department of Ecology, U.S. Geological Survey, EPA and others.

WSDA will be working with EPA, NOAA Fisheries, the Washington State Pesticide Advisory Board and interested stakeholders to develop the Washington state plan. Steve George, Hop Growers of Washington, noted that agriculture is willing to do its part for ESA. “But changes must be well thought out to insure that they don’t create unintended consequences,” he said. ➔

WSDA hosts discussion on proposed buffer zones

Stakeholders heard the details of a July 16 preliminary ruling that proposes buffers on all applications of 54 pesticides near streams and other water bodies accessible to salmon that are protected under the federal Endangered Species Act. WSDA facilitated the July 24 discussion of this latest U.S. District Court order.

No buffer zones are currently imposed since the judge won’t issue a formal order for relief until after oral arguments are heard on Aug. 14.

Judge Coughenour will hear arguments regarding only the specific size of the buffers for pesticides used near habitats of threatened and endangered salmonids. He will not allow EPA to present arguments that no buffer zones are needed, except for those pesticides which have already been determined by EPA to have “no effect” on salmonids.

Coughenour agreed to impose buffer zones to reduce salmonid exposure to pesticides. Coughenour stated, “plaintiffs have demonstrated, with reasonable scientific certainty, that the requested buffer zones – 20 yards for ground applications, 100 yards for aerial applications – will, unlike the status quo, substantially contribute to the prevention of jeopardy [to salmonids].”

Coughenour will also allow arguments on a request for urban use restrictions on 13 pesticides that are frequently detected in urban streams. The court has been asked to restrict the sale of these pesticides to licensed pesticide dealers and limit their use to certified applicators.

The buffers and interim measures were requested in a 2002 lawsuit filed by Washington Toxics Coalition and other environmental and fishing groups asserting that EPA had violated its obligations under the Endangered Species Act. The court ordered EPA to initiate a series of effect determinations and to consult, as appropriate, with NOAA Fisheries on 54 identified pesticide active ingredients.

WSDA has posted copies of the lawsuit, court orders and a list of the 54 pesticides on the Endangered Species Program web page and will update the site as information becomes available. The web page address is <http://agr.wa.gov/PestFert/EnvResources/Lawsuit.htm>. ➔

Fish facts: Steelhead – salmon or trout?

The steelhead is a rainbow trout that migrates to sea as a juvenile and returns to fresh water as an adult to spawn. Unlike Pacific salmon, steelhead are iteroparous, meaning they are capable of spawning more than once before they die. They return to the sea after each spawning.

NOAA Fisheries Service Northeast Fisheries Science Center contributed to this article. ➔

The chum salmon in the Pesticide/ESA News banner is a detail from a photograph by Al Grillo. ➔



*Steelhead (Oncorhynchus mykiss)
Drawing courtesy of the Michigan
Department of Natural Resources*